

POLICE CONDUCT OVERSIGHT COMMISSION

Minutes

Regular Meeting January 13, 2015

Starting at 6:00 p.m.

350 Fifth Street, Room 241, Minneapolis, MN 55407

Committee Members Present: Andrea Brown (Chair), Andrew Buss, Adriana Cerrillo, Naida Medicine Crow, and Laura Westphal.

Committee Members Absent: Amran Farah and Jennifer Singleton.

Staff Present: Michael K. Browne, Director – Office of Police Conduct Review (612) 673-5500. Also present, Legal Analyst Ryan Patrick and Committee Clerk Leda Schuster.

The session started with the swearing-in ceremony of the newly appointed commissioners: Cerrillo, Medicine Crow and Westphal. The swearing in was facilitated by City Clerk Casey Carl.

Chair Brown called the meeting to order at 6:04 p.m.

Buss moved to adopt the meeting agenda.

Seconded.

No discussion. All-in favor. None opposed.

The motion carried

Cerrillo moved to adopt the November 18, 2014 and December 09, 2014 meeting minutes.

Seconded.

No discussion. All-in favor. None opposed.

The motion carried

Approved Minutes on February 10, 2015

NEW BUSINESS

Introduction

Velma J. Korbel, Director - Minneapolis Department of Civil Rights welcomed the Commission's new members and thanked them for their service. The following are the main points from her speech:

- Civil Rights constitute an honorable service and it is part of the legacy that Martin Luther King Jr. left.
- In commemoration of MLK Day, she remembered and thought about a letter that Dr. Martin Luther King, Jr. wrote from the Birmingham jail. In that letter, he thanked those who he identifies as civil rights heroes: "Negro women," "ministers," and "college students" among others.
- Today, there are still a lot of civil rights heroes in this world and in this community. Also, being part of the PCOC creates a great opportunity to become one of those mentioned heroes, as the essence of serving on this commission involves work to ensure equity policing in the City of Minneapolis.

With the conclusion of Director Korbel's introduction, Chair Brown moved to the next item on the agenda.

Re-Affirmation of NACOLE Code of Ethics

Westphal moved to reaffirm the NACOLE Code of Ethics

Seconded.

No discussion. All-in favor. None opposed.

The motion carried

With no further discussion on the matter, Chair Brown moved to the next item on the agenda.

Review of Q4-2014 Data

Michael K. Browne, Director - Office of Police Conduct Review addressed the Commission and those in attendance. The following were the main points from his presentation:

- Referral to coaching by the officer's supervisor continues to be the predominate avenue for resolution of a majority of the cases files with the Office (cases that do not require full investigation but are considered by the Office to be too serious to dismiss). More details regarding coaching will be in Mr. Patrick's presentation.
- Chief has one pending case. The Chief has returned cases within the 45 days timeline period which is a good indicator of support of the complaint process.

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Return of the Coaching Research and Study

Patrick Ryan, Legal Analyst – Office of Police Conduct Review addressed the Commission and those in attendance. The following were the main points from his presentation:

- The coaching process was introduced to the Commission in February 2014. At that point the Commission passed a motion to conduct a comprehensive study of the coaching process.
- 43% of the cases that were not dismissed were submitted to Coaching in 2014.
- The study focuses on all coaching documents returned between October 2012 and October 2014 (two years of coaching data; about 200 coaching documents)
- A standardized criterion was used to analyze every single document.
- Results were collected in a workbook using a broad range of categories (such as timelines, allegations, precinct information, coaching supervisor follow-up, etc.). About 76 categories were considered.
- Formulas were used to calculate results.

Buss moved to the Coaching Study to be accepted by the Commission and to be referred to the Policy and Procedure Committee for in depth review and formulation of recommendations for full Commission to approve and provide to the MPD.

Seconded.

The Chair opened the floor for discussion. The following is a question regarding the discussion:

Brown – asked if by bringing the report back to the P&P, it would allow the committee to report back in terms of identifying what is exactly happening with the coaching process.

Buss – the idea is to get a better understanding of all the pieces of the study and provide recommendations to the Commission based on what has been identified and what can be done about it.

With there being no further discussion from the members present, the Chair closed the discussion and called for a voice vote.

All in favor. None opposed.

The motion carried.

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Committee Reports

A. Policy and Procedure Committee

Commissioner Buss, the Committee Chair, addressed the Commission. The following are the main points from the Chair's report:

- The agenda and minutes for the December 16, 2014 meeting are available online.
- The Committee discussed the recent referral of Stop and Frisk Reporting and Data Collection. Recent City Council action directed the development of a report on police stops. An email was received from Council Member Gordon outlining their project. The Committee will continue to engage with the city as this develops and to add layers of data that may not be included in their evaluation.
- The Code of Conduct Policy (5-100) was referred to the P&P Committee for discussion and recommendations regarding policy language and the relationship to the discipline matrix. This is an area that has already been identified by the MPD and OPCR as an area of concern. In order to avoid duplication of effort, the committee will work with the OPCR to determine what work has already begun in this area. From there, recommendations will be made to clarify the policy and resolve inconsistencies.
- Ongoing discussion on the Body Camera SOP, looking for further information as review of policies is currently taking place.
- The committee will begin developing an implementation plan including the types and content of training options as well as timelines for implementation. As development progresses, this information will be presented to the Commission for acceptance and recommendation. Once completed and approved by the full commission, it will then be presented to the department for official recommendation.

Buss moved to the PCOC accept the recommendations of the Policy and Procedure Committee in the development of the Cultural Awareness Training Implementation Plan, which once developed, would be returned to the full commission for approval.

Seconded.

With there being no further discussion from the members present, the Chair closed the discussion and called for a voice vote.

All in favor. None opposed.

The motion carried.

With the conclusion of the Policy and Procedure Chair report, Chair Brown moved to the next item on the agenda.

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B. Outreach Committee

The Committee did not meet in December due to Holidays so there was no new information to report.

Chair Brown encouraged new commissioners to join the Outreach and Policy and Procedure committees since there are opened seats on both committees.

Chair Brown moved to the next item on the agenda.

UNFINISHED BUSINESS

Discussion of November 2014, Selected Case Summary Data

- Case Summary #2

No discussion

- Case Summary #4

Buss moved to refer Summary Data Case #4 to the Policy and Procedure Committee for discussion and tracking.

Seconded.

No discussion. All in favor. None opposed.

Motion passed

- Case Summary #7

No discussion

Chair Brown moved to the next item on the agenda.

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New Case Selection

The Chair called for the Commissioners to identify their top three case synopsis choices for February 2015 and asked the Committee Clerk to call the roll. The following are the votes by Commissioners:

Brown	3	5	9
Buss	2	3	9
Cerrillo	2	3	9
Medicine Crow	2	3	5
Westphal	2	8	10

Chair Brown indicated the new case selections for discussion at the February 2015 meeting are **cases # 2, 3, and 9** as the top picks, which were then **selected by unanimous consent of the commissioners**.

With no further discussion on the matter, Chair Brown moved to the next item on the agenda

PUBLIC COMMENT

Chair Brown opened the floor for public comment. The following is a list of the members of the public who addressed the Commission and the topics covered in their discussion:

Chuck Turchick:

- Participation of the PCOC on the Office of Justice Program's research.
- PCOC email
- Book recommendations
- MPD discipline and coaching recommendations
- The police officers' contract
- Role of the Police Conduct Review Panel on improving the review process

Dave Bicking:

- PCOC role and the OPCR
- Commissioners' email address
- Training available for the PCOC
- PCOC recommendations to the MPD
- Grievance cases notification

With no further public comment, Chair Brown closed the floor for public comment.

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ADJOURNMENT

With all of the Commission's business being concluded, the chair entertained a motion:

Westphal moved to adjourn.

Seconded. All in favor. None opposed.

The motion carried.

Chair Brown adjourned the meeting at 7:07 p.m.